DOCUMENT RESUME

ED 260 339 CG 018 432

TITLE	Sexual Assault Prevention Handbook.
INSTITUTION	Missouri Governor's Commission on Crime, Jefferson.
PUB DATE	Oct 82
NOTE	15p.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Decision Making; *Laws; *Prevention; *Rape; *Sexual Abuse; *Victims of Crime
IDENTIFIERS	Missouri

ABSTRACT

This publication is designed to educate men and women about sexual assault. The goals are to encourage people to become involved in their own protection and to make them better informed and able to deal with sexual assaults when they do occur. Facts about sexual assault are presented, including descriptions of rapists, rape victims, and rape situations. The basic Missouri Criminal Code dealing with sexual assault are provided. Ways to reduce one's risk of an attack through outside, home, and vehicle security are described. Things to consider if attacked are presented, including submitting to the rapist, passive resistance, and active resistance. Things to do if one becomes a victim of sexual assault are considered. Law enforcement, medical procedures, and court procedures are discussed. Finally, the basic personal, legal, and medical rights of a victim are listed. (KGB)

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Sexual Assault Prevention Handbook

Governor's Commission on Crime

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October 1982

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Illustrations within this publication are from *How to Protect Yourself Against Sexual Assault,* published by the Advertising Council, Inc. and the Crime Prevention Coalition.

Introduction

Sexual assaults are among the ugliest and most psychologically devastating of violent crimes. They threaten, violate and criminally deprive victims of their basic human right to the safety and sanctity of their person. Sexual assaults are also among the most underreported crimes due to fear, shame and misunderstanding.

Sexual assaults include such crimes as rape, sodomy and oral copulation. It has been estimated that one out of ten women may be assaulted during her lifetime. However, *any* person can be a victim of sexual assault, regardless of race, age or sex – *anywhere, any time.* In fact, men are frequently sexually assaulted by other men. Because the majority of rape victims are female, this publication is primarily directed to women. However, the information is also relevant to men – both as potential victims or as the friend, family or lover of a female victim.

The legal definitions of rape, sodomy and oral copulation differ, but the emotional trauma caused by such assaults are the same. Thus, most information regarding rape also pertains to other forms of sexual assault. Hence, the terms "rape" and "sexual assault" will be used interchangeably in this report.

This publication is designed to educate men and women about sexual assault. The goals are: first, to encourage people to become involved in their own protection – involvement and awareness are two important tools which, when used effectively, can decrease the opportunity for rape; second, to make men and women generally more informed and better prepared to deal with sexual assaults when they do occur, including a thorough understanding of the alternatives available to, and the rights of, sexual assault victims.

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The facts about sexual assault

Many people have the wrong idea about sexual assault and/or rape. They believe that rapists are overcome with sexual desire or that a woman may have dressed too seductively or "asked for it" in some manner. Some people even believe that all women want to be raped.

These ideas assume that rape is a sexual act, a crime that is motivated by desire. It isn't. It is a violent crime; a hostile attack; an attempt to hurt and humiliate. Sex is used as a weapon.

THE LAW

The basic Missouri Criminal Code laws dealing with sexual assault are as follows:

566.010. CHAPTER DEFINITIONS:

1. As used in this chapter:
   (1) "Sexual intercourse" means any penetration, however slight, of the female sex organ by the male sex organ, whether or not any emission results:
   (2) "Deviate sexual intercourse" means any sexual act involving the genitals of one person and the mouth, tongue, hand or anus of another person;
   (3) "Sexual contact" means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person.
2. Spouses living apart pursuant to a judgment of legal separation are not married to each other for the purposes of this chapter.

566.020. MISTAKE AS TO INCAPACITY OR AGE.

1. Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.
2. Whenever in this chapter the criminality of conduct depends upon a child's being under the age of fourteen, it is no defense that the defendant believed the child to be fourteen years old or older.
3. Whenever in this chapter the criminality of conduct depends upon a child's being fourteen or fifteen years of age, it is an affirmative defense that the defendant reasonably believed that the child was sixteen years or older.

566.030. RAPE.

1. A person commits the crime of forcible rape if he has sexual intercourse with another person to whom he is not married, without the person's consent by the use of forcible compulsion.
2. Forcible rape or an attempt to commit forcible rape as described in subsection 1 of this section is a felony for which the authorized term of imprisonment, including both prison and conditional terms, is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which cases forcible rape or an attempt to commit forcible rape is a class A felony.
3. A person commits the crime of rape if he has sexual intercourse with another person to whom he is not married who is less than fourteen years old.
4. Rape as described in subsection 3 of this section is a class B felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon or dangerous instrument in a threatening manner, in which cases rape is a class A felony.

566.040. SEXUAL ASSAULT IN THE FIRST DEGREE.

1. A person commits the crime of sexual assault in the first degree if he has sexual intercourse with another person to whom he is not married and who is incapacitated or who is fourteen or fifteen years old.
2. Sexual assault in the first degree is a class C felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class B felony.

566.050. SEXUAL ASSAULT IN THE SECOND DEGREE.

1. A person commits the crime of sexual assault in the second degree if, being seventeen years old or more, he has sexual intercourse with another person to whom he is not married who is sixteen years old.
2. Sexual assault in the second degree is a class D felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class C felony.

566.060. SODOMY.

1. A person commits the crime of sodomy if he has deviate sexual intercourse with another person to whom he is not married, without that person's consent by the use of forcible compulsion.
2. Forcible sodomy or an attempt to commit forcible sodomy as described in subsection 1 of this section is a felony for which the authorized term of imprisonment, including both prison and conditional terms, is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to deviate sexual intercourse or sexual intercourse with more than one person, in which cases forcible sodomy or an attempt to commit forcible sodomy is a class A felony.
3. A person commits the crime of sodomy if he has deviate sexual intercourse with another person to whom he is not married who is less than fourteen years old.
4. Sodomy as described in subsection 3 of this section is a class B felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon or dangerous instrument in a threatening manner, in which cases sodomy is a class A felony.

566.070. DEVIATE SEXUAL ASSAULT IN THE FIRST DEGREE.

1. A person commits the crime of deviate sexual assault in the first degree if he has deviate sexual intercourse with another person to whom he is not married and who is incapacitated or who is fourteen or fifteen years old.
2. Deviate sexual assault in the first degree is a class C felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class B felony.

566.080. DEVIATE SEXUAL ASSAULT IN THE SECOND DEGREE.

1. A person commits the crime of deviate sexual assault in the second degree if, being seventeen years old or more, he has deviate sexual intercourse with another person to whom he is not married who is sixteen years old.
2. Deviate sexual assault in the second degree is a class D felony unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class C felony.

566.090. SEXUAL MISCONDUCT.

1. A person commits the crime of sexual misconduct if:
   (1) Being less than seventeen years old, he has sexual intercourse with another person to whom he is not married who is fourteen or fifteen years old; or
   (2) He engages in deviate sexual intercourse with another person to whom he is not married and who is under the age of seventeen years; or
   (3) He has deviate sexual intercourse with another person of the same sex.
2. Sexual misconduct is a class A misdemeanor.

566.100. SEXUAL ABUSE IN THE FIRST DEGREE.

1. A person commits the crime of sexual abuse in the first degree if:
   (1) He subjects another person to whom he is not married to sexual contact without that person's consent by the use of forcible compulsion; or
   (2) He subjects another person who is less than twelve years old to sexual contact.
2. Sexual abuse in the first degree is a class D felony unless in the course thereof the actor inflicts serious physical harm on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class C felony.

566.110. SEXUAL ABUSE IN THE SECOND DEGREE

1. A person commits the crime of sexual abuse in the second degree if he subjects another person

to whom he is not married to sexual contact, when the other person is incapacitated or twelve or thirteen years old.
2. Sexual abuse in the second degree is a class A misdemeanor unless in the course thereof the actor inflicts serious physical injury on any person or displays a deadly weapon in a threatening manner, in which cases the crime is a class D felony.

566.120. SEXUAL ABUSE IN THE THIRD DEGREE.

1. A person commits the crime of sexual abuse in the third degree if he subjects another person to whom he is not married to sexual contact without that person's consent.
2. Sexual abuse in the third degree is a class B misdemeanor unless in the course thereof the actor displays a deadly weapon in a threatening manner, in which cases the crime is a class A misdemeanor.

191.225. COSTS OF EXAMINATION IN RAPE CASES PAYABLE BY DEPARTMENT, WHEN, CONDITIONS.

1. The department of social services shall make payments to hospitals and physicians, out of appropriations made for that purpose, to cover the cost of the medical examination not covered by insurance of persons who may be a victim of the crime of rape as defined in section 566.030, RSMo., if;
   (1) the victim consents in writing to the examination;
   (2) the report of the examination is made on a form approved by the attorney general; and
   (3) the report of the examination is filed by the victim with the prosecuting attorney of the county in which the alleged rape occurred.
2. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination. The hospital or physician making the examination shall give written notice to the parent or guardian of a minor that such an examination has taken place.
3. The attorney general shall develop the forms and procedures for gathering evidence under the provisions of this section and shall furnish every hospital and physician in this state with copies of such forms and procedures.
4. Reasonable hospital and physicians charges for eligible examinations shall be billed to and paid by the department of social services.

THE VICTIM

If you think rape is motivated by sexual desire or happens because the victim has "asked for it," look at the facts. Rape can happen to anyone. Victims include: children, grandmothers, students, working women, mothers, wives, the rich and the poor, and even males.

THE SITUATION

Perhaps you think rape happens only in certain high-risk situations, hitchhiking; walking alone at night; going alone to bars. It's true that rape can happen in these situations; however, many rapes take place in ordinary, seemingly safe places. In fact, about one-third of all rapes occur in or near the victim's own home.

THE RAPIST

Imagine a rapist. Whom do you picture? A sex-crazed man? A psychopath? More often than not, these stereotypes are wrong. Most rapists do not look peculiar or act strangely, but they may be less stable and more aggressive than most people. They may dislike women. Mainly, they want to hurt, humiliate and degrade another human being.

Rapists are not always strangers to their victims. In over one-third of reported cases, the rapist is an acquaintance, neighbor, friend or relative.

The characteristic which sets rape apart from other crimes of violence is that the sex act is involved. However, the reasons behind the sexual assault are more extensive than mere lust or sexual gratification. A rapist receives satisfaction from the psychological effect of supreme control over another person and, through this act, can temporarily alleviate his feelings of inadequacy.

Reduce your risks

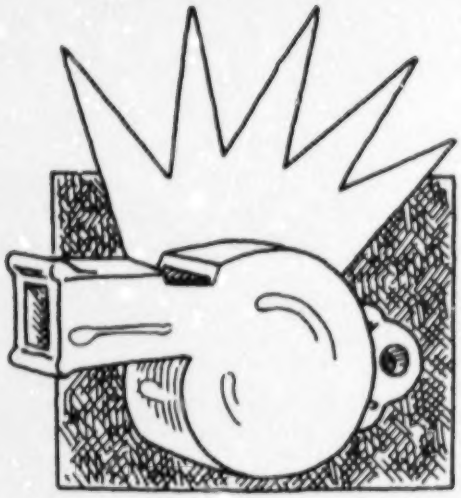
First, face the facts about rape. This understanding will allow you to make an accurate assessment of your own situation. You may develop a greater awareness of your surroundings and, because of this awareness, you will decrease the chances of suffering an attack yourself. The attitude that "it will happen to someone else" is dangerous because it prevents you from being as alert as you should be to possibly dangerous situations and, specifically, from planning what you will do if an attack does occur.

To be prepared, you should consider various kinds of confrontations and practice responses to would-be attackers. Practice will help to impress desired responses into your memory and enable you to recall them even under the stress of a real encounter.

OUTSIDE SECURITY

Many rapes occur outside the home, on the street, in a park, playground or schoolyard. Lack of suspicion and familiarity with your surroundings make you a likely target for a person seeking a victim. By walking in a fearful or uncertain manner you transmit fear and timidity — prime "victim" signals. Learn to be aware of body language and use it to your advantage. Try these tips:

- Stay in well-lighted areas as much as possible.
- Walk confidently and at a steady pace. A rapist looks for someone who appears vulnerable.
- Walk on the side of the street facing traffic.
- Walk close to the curb. Avoid doorways, bushes and alleys where a rapist can hide.
- If you think you are being followed, walk quickly to areas where there are lights and people. If a car appears to be following you, turn and walk in the opposite direction.
- Be careful when people in cars ask you for directions. Always reply from a distance and never get close to the car.



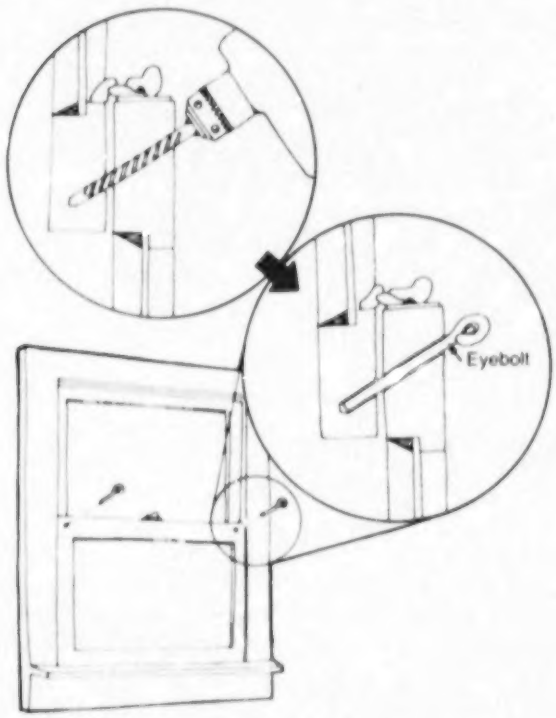
- If you believe you are in danger, don't be reluctant to scream and run. Consider carrying a whistle or any type of noisemaker. And, if you're in trouble, use it!
- If you are in trouble, attract help in any way you can. Scream, yell for help, yell "Fire!" or break a window. Remember, if a weapon is involved, your choices will be limited.
- Probably the most effective deterrent to any type of attack is to travel with a friend whenever possible.

HOME SECURITY

Many sexual assaults occur in the victim's home — sometimes in a garage or an apartment laundry room. In some cases, the rapist may be a burglar who breaks into a house and unexpectedly finds someone home. In others, an attacker purposely looks for women home alone. One of the best ways to prevent sexual assault is to secure your home. For complete home security information, contact your local law enforcement agency or send for the *Home Safety Handbook* from the Governor's Commission on Crime. Following are some important home security tips:

- Make sure all doors and door frames are solid and sturdy. Entry doors should be solid-core wood or metal. Good locks, such as deadbolt locks with 1-inch throws, are a must. Don't rely on chain locks. A person of average size can easily break most chain locks.
- Have your locks changed or rekeyed or a new lock added when you move into a new house or apartment.
- Install a peephole-viewer in your door. And use it! *Never* open your door without knowing who is on the other side.

– Install good exterior lighting around your house.
– Make sure all windows can be locked securely. Special key locks are available for windows. Drill holes through the overlapping frames of double-hung or sliding glass windows; then insert a nail or an eyebolt in the hold so windows cannot be opened more than a few inches.



– Secure sliding glass doors the same way. Bolster the existing lock by placing a solid strip of wood or a broom handle in the track of the closed door or install an aluminum rod for even greater protection.
– Be sure to use these door and window locks at all times – when you are out and especially when you are home.
– If you live alone, do not advertise it. Use only your initials and last name on your mailbox and telephone listing.

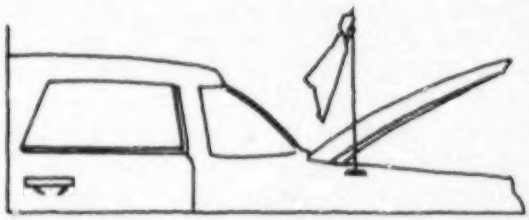
Along with installing physical security mechanisms, you should develop the following personal safety habits:

– Always check identification before opening your door. Ask that identification cards of repair or sales people be slipped under your door for you to check. If there is any question, call the person's office. Any reputable sales agent or repairperson will be glad to have you check.
– If strangers ask to use your telephone in an emergency, offer to make the call yourself. Have them wait outside while you make the call.
– If strangers or repairpersons telephone or come to your door, do not admit that you are alone.
– If you live in an apartment, avoid being in the laundry room or garage by yourself, especially at night. Tell your landlord if security improvements are needed. Better lighting, stronger locks and night security guards are methods to make a building safer.
– If you come home and find a door or window open or signs of forced entry, do not go inside. Go to the nearest telephone and call the police.

VEHICLE SECURITY

Be especially cautious when driving your car. Reduce risk by taking these precautions:

– After entering or leaving your car, always lock the door.
– Check the back seat before you get in.
– Keep doors and windows closed and locked while you drive.
– If you think you are being followed, drive to a public place or a police station.
– If your car breaks down, open the hood and attach a white cloth to the car antenna. Then wait inside the car with the doors locked. If someone stops to help, stay in your locked car and ask them to call the police or a garage.



It is suggested that you never hitchhike; but, if you choose to hitch a ride, follow these tips:

– Do not hitchhike alone or in deserted places.
– Accept rides only from women or older couples, not from single men or rowdy groups.
– Ask the driver's destination before telling yours.
– Be aware of the driver's behavior while you are riding and sit next to the door.
– If the driver does not take you to your destination, stay calm. Try to get him to stop for something to drink or eat, then run to the restroom or ask someone for help. Look for an opportunity to escape.

Know your defenses

WHAT SHOULD YOU DO IF YOU ARE ATTACKED?

. . .It depends. It depends on you, on the attacker, and on the whole situation. Without knowing the situation, nobody can tell you what you can do, or what you should do, but there are some things to consider.

Women's socialization teaches them to be ladylike, polite and helpful. In short, to be nice. At times, this works to their disadvantage. One shouldn't be nice to a rapist. Without proper suspicion and awareness of what sexual assault is and how it occurs, you may put yourself in dangerous situations – and not even know it.

Anyone can be a victim of sexual assault. So, you should think about the kinds of defense you would be willing to use. Now is the time to consider your options. There is little time to think during an attack. Could you really hurt someone who tried to hurt you?

You must come to grips with what you are willing to do to an attacker. Are you willing to scream? Are you mentally prepared to injure your attacker? Each person sets limits and boundaries as to what he or she will take from someone else. It is important to think about and establish these limits so you can make quick decisions in case of attack.

Remember, rape is a crime of violence, not sex. You have to assume that the rapist is willing to use violence. If attacked, your main concern, always, must be your safety. Your safety and/or your ability to deter an attack may be dependent upon your ability to stay cool and calm.

SUBMITTING TO THE ATTACK

In every rape, the attacker threatens the victim's safety or life. Sometimes a rapist threatens the victim's children or other family members.

If you believe you might get hurt by defending yourself, or if you're afraid to fight back, don't. It is not necessary that you resist. Submitting to a rape out of fear for your own or your family's safety, does not mean that you consented. It is still a rape and still a crime, even if you do not have a single cut or bruise. It should still be reported to the police. Victims who do not resist should never feel guilty. It is the rapist who committed the crime!

PASSIVE RESISTANCE

Sometimes a victim may want to resist but is afraid to scream or fight back. In these cases, a more passive type of resistance may help to "defuse" the violence of the attacker. With passive resistance you can:

- Try to calm the attacker. Talk to him and try to persuade him not to carry out the attack. If you win his confidence, you may be able to escape.
- Claim to be sick or pregnant. Tell him you have VD. This may deter the attacker.
- Try to discourage the rapist. Some women pretend to faint, some cry hysterically, others act insane or mentally incapacitated.
- If you're at home, tell the attacker a boyfriend is coming over or that your husband or roommate will be home soon.

ACTIVE RESISTANCE

Nobody can tell you whether active resistance – screaming, struggling, fighting back – will be the "right" thing to do. In some cases, it can frighten off or discourage the attacker. But resistance may also lead the rapist to become more violent or increase his desire to subdue the victim.

There are many kinds of active resistance. Here are some pros and cons regarding the most common ones:

- *Screaming* – A scream can surprise or frighten an attacker away if he fears that people will come to help; but screaming won't help in isolated areas.
- *Struggling and fighting back* – A forceful struggle also may discourage the rapist. If you are not afraid to hurt someone, and can land a strong kick or blow, fighting back may give you the opportunity to escape. All blows or kicks must be forceful and should be aimed at vulnerable areas.
- *Martial arts* – Special self-defense courses, such as judo or karate are very popular in some areas. Many women have taken courses to protect themselves from attack. If you are proficient in these techniques, they can be very effective. But proficiency takes continuous practice.

Weapons—Some women carry weapons, such as guns, knives or chemical sprays, to ward off attackers. Unless you are trained and not afraid to use these weapons, *they can be very dangerous.* The attacker might be able to turn them against you. To legally carry most chemical sprays, you must complete a training course offered by a certified agency or organization. *Check with your local law enforcement authorities before you select a weapon.*

In many cities and towns, groups like the police and sheriff departments' crime prevention units, YMCA, YWCA, women's clubs, rape crisis centers and local high schools have programs on rape defense and protection. Check with your local groups to see if they offer such help.

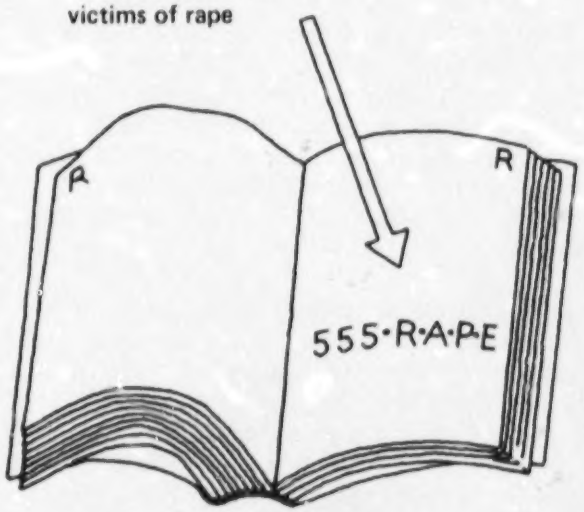
If you do become a victim

Many victims of sexual assault don't know where to turn for help or what to do. They may be afraid or ashamed to talk to anybody, or they may try to act as though nothing happened.

If you have been assaulted, get help quickly. Call your local law enforcement agency. They can take you to the hospital, put you in touch with community services and get information from you about the crime that will help them arrest the rapist.

If you prefer not to call the police right away, get help from a friend, your doctor, a hospital emergency room, or contact a rape center or other crisis service that may be available in your community. Rape crisis programs usually have a hot-line number you can call day or night. They can explain your choices, offer counseling, or even contact the police for you. Check the white pages of your telephone directory and jot down the number.

Special services for victims of rape



The most important thing to remember after an attack is that you should not destroy any possible evidence. Do not touch anything; do not change your clothes, shower, wash or douche until after you have contacted the police and been taken to the hospital.

While the impulse may be strong to "wash away" the ugliness of the attack – remember law enforcement officers can use every shred of evidence to aid in the arrest and conviction of your attacker. Modern techniques make it possible to obtain extensive evidence from an undamaged crime scene. Skin, blood, saliva, hair, seminal and other samples can be collected and used to help identify and convict the rapist.

Remember, law enforcement is on your side. They have been trained to deal with you in a sensitive and understanding manner. They are not judging you. Your full cooperation will make their job easier and increase the likelihood that your assailant will be caught and convicted.

LAW ENFORCEMENT

Did you know that most rapists are "repeat offenders?" They strike again and again – sometimes assaulting dozens of women every year.

Law enforcement needs your help to catch the rapist. As mentioned earlier, they can get valuable information from you that may help arrest a suspect. Even if you decide not to press charges against the rapist, or if your attack was an attempted rape, the information you give the law enforcement officer could be helpful in other cases.

What happens if you call your law enforcement agency? First, they will make sure you are safe. They will help you get to the hospital. They will be able to tell you about counseling or other assistance available to you.

Law enforcement officers also will question you about what happened. This discussion may take place before or after you visit the hospital. Then the officers will examine the place where the crime occurred and collect evidence. A detective may also talk with you soon after the attack. The detective will ask you to describe what happened and will ask some very specific questions. Remember, the more information you can give, the better your case will be. Do not be embarrassed by the explicit and direct nature of the questions. The detective needs to know *exactly* what happened to aid in the collection of evidence and pursuit of your assailant. In many law enforcement agencies, the detective will be a specialist in sexual assault cases. You can have someone of your choice with you during the questions – perhaps a friend, relative, spouse or rape crisis counselor.

The detective may ask you to look at photographs of suspects. If a suspect is arrested, you will be asked to identify him in a "line-up." You view the line-up through a one-way mirror so the suspect cannot see you.

MEDICAL PROCEDURES

It is very important to get medical help as soon as possible after an attack. Usually, law enforcement officers will take you to the hospital. If you prefer, go there yourself or have a friend take you.

At the hospital, you will be given a medical examination to make sure you are all right and to collect medical evidence. This evidence will be used in court if an arrest is made. At your request, the doctor can give you medication to prevent veneral disease and/or pregnancy.

If you sustained injuries as a result of the sexual assault, you may require x-rays, laboratory work, dressing changes, minor surgical care and/or medications. Be sure you know how these injuries are to be cared for at home and when to return to the hospital for follow-up checks.

As a result of a sexual assault, you may experience unexpected changes in your life. As sexual assault often presents a serious threat to your safety and well-being, it is understandable that you may experience mental or emotional stress after an assault.

Researchers have recently identified a "rape trauma syndrome," which is experienced to some degree by each rape victim, whether or not violence was involved.

The first phase, or acute "disorganization phase," can last anywhere from a week to three months. In the beginning, you may have physical pain, anxiety, depression, a sense of loss of control and self-esteem, nausea, vomiting and insomnia. You may also feel guilty or blame yourself for being in the wrong place at the wrong time.

The second stage of the rape trauma syndrome, the long-term "reorganization phase," may last a year or even longer. It is often characterized by minor or major adjustments in life style, motivated by fear. For example, you may change your telephone number, move to a new address, quit school, or even leave your job.

It is important that you be aware of these typical behavioral changes to assure yourself that what you are going through is "normal." But most important, remember that these behavioral changes are not permanent. They will disappear in time and/or with proper counseling. The hospital staff can refer you for psychological counseling if you feel you need it. In addition, your family and friends may also be affected by what has happened and may benefit from counseling assistance.

COURT PROCEDURES

If a suspect is charged with a rape and the case is brought to court, the attorney who prosecutes the accused rapist will probably question you about the assault. After reviewing the facts of the case, the attorney has three options:

1) If the evidence is very good, and if the suspect does not plead guilty, the prosecutor may take the case to trial. If so, you may be asked to testify as a witness for the prosecution. The prosecutor will probably talk to you several times before the trial to help you prepare. If rape counselors are available in your community, they or other persons you may choose may accompany you to the trial.
2) If there is good evidence, but perhaps not good enough to convict the accused of rape, the prosecutor might start a "plea negotiation." In this bargaining process, the prosecutor agrees to charge the rapist with a less serious crime, such as attempted rape or assault, if the rapist agrees to plead guilty. That way, the prosecutor makes sure that the suspect is convicted of a crime, even though it is a less serious charge.
3) If there is not enough legal evidence, the prosecutor may decide to drop the case. This does not mean the prosecutor does not believe you – just that there was not enough legal evidence for prosecution.

In any event, the prosecutor or a law enforcement officer will keep you informed as to the progress and circumstances in your case. If at any time you do not understand what is happening, ask for an explanation. It is your right to know what is going on.

Victim rights

If you are a victim of rape, there are some basic rights and considerations that you should be aware of:

VICTIM PERSONAL RIGHTS

- Feel free to ask questions of police, doctors, attorneys, counselors or agencies you are dealing with.
- Do not feel guilty or ashamed.
- It is normal to feel fear, anger, loneliness and helplessness.
- It is normal to act nonemotional, nonfeeling or hysterical (all aspects of rape trauma syndrome).
- It is normal – and often healthy – to cry.
- It is all right to want to be treated like a special person.
- You have the right to be loved – you have done nothing wrong.

VICTIM LEGAL RIGHTS

- You have the right to report the attack to law enforcement and expect that all avenues within the law will be pursued to apprehend and convict the offender.

- You have the right to make a report but not proceed with prosecution.
- You have the right to file a third-party report (for example, a rape crisis center reports the crime but does not disclose your name).
- During the investigation and trial you have the right to be treated in a considerate and sensitive manner by law enforcement and prosecution personnel and to:
  - ask if a female officer is available for the initial investigation if it would be more comfortable for you;
  - feel free to have a person of your choice accompany you during all questionings or interviews (family, friend, counselor);
  - feel free to ask questions about aspects of the police or medical reports so that you understand their purpose;
  - feel free to add to or change your initial statement as you recall the events more clearly.

VICTIM MEDICAL RIGHTS

- You have the right to have a rape crisis counselor accompany you to the hospital.
- You have the right to call your personal physician to attend you.
- You have the right to have privacy during the interview and examination.
- You have the right to have family, friends or a rape counselor present during questioning and examination.
- You have the right to have each procedure explained in detail before being administered.
- You have the right to gentleness and sensitivity during the examination.
- You have the right to an explanation of the reason for every test, form and procedure.
- You have the right to obtain available follow-up treatment and counseling.

Now that you have learned some facts about rape, who the victims are, where it happens and how to prevent it, why not share this information with somebody who doesn't know? Remember, if you reduce your risks and know your defenses, you can help stop crime from happening.